

## **RULES/AGENCY RULES COMMITTEE**

Meeting Report  
September 13, 2006

**PRESENT:** Vice Chair Campos, Member Williams, Chirco

**ABSENT:** Chair Chavez

**STAFF:** City Attorney Rick Doyle, City Clerk Lee Price, Deputy City Manager Deanna Santana, Agenda Services Manager Nadine Nader and Redevelopment Agency Liaison Gary Miskimon, and Community Relations Manager for the Mayor's Office Emily Moody

### **A. Redevelopment Agency**

#### **1. Review of the September 26, 2006, Draft Agenda**

Action: None-Meeting Cancelled.

#### **2. Add New Items to September 19, 2006 Agenda**

There were none.

##### **a. Redevelopment Board Requests**

- There were none.

##### **b. Executive Director Requests**

- There were none.

##### **c. RDA Counsel Requests**

- There were none.

#### **3. List of Reports Outstanding**

There were no outstanding reports.

### **B. City Council**

#### **1. Review of the September 26, 2006 Draft Agenda**

Action: The Committee recommended approval to the September 26, 2006 Council Agenda with the following additions:

##### **a. Mayor and Councilmember Requests**

- There were none.

**b. Council Appointee Requests**

- Conditional approval of Stock Transfer. (City Auditor)

**2. Add New Items to the September 19, 2006 Agenda**

Action: The Committee recommended approval to the September 19, 2006 City Council Agenda with the following additions:

**a. Mayor and Councilmember Requests**

- Presentation of a commendation to Brookzilla for serving District 1. (LeZotte)
- Presentation of a proclamation recognizing September 15 through October 15, 2006 as "National Hispanic Heritage Month". (Campos)
- Presentation of a proclamation recognizing September 17 - 23, 2006 as "Constitution Week". (Mayor/Reed)
- Implement an Emergency Preparedness Plan to protect the people of San José. (Chavez)
- Develop a work plan for greater financial overview. (Chavez)

**b. Council Appointee Requests**

- There were none.

**3. List of Reports Outstanding**

Documents Filed: Report from the City Manager's Office dated September 12, 2006, listing two (2) staff reports outstanding for the September 19, 2006 City Council Meeting.

Action: The Committee noted and filed the City Manager's Report.

**C. Legislative Update**

**1. State**

- a. State Update**  
No Report.

**2. Federal**

- b. Federal**  
  
No Report.

**D. Meeting Schedules**

**1. Approve Special Building Strong Neighborhoods Committee Meeting. (City Manager)**

Documents Filed: Memorandum from Mark Linder Deputy City Manager dated September 7, 2006 recommending approval to hold a special meeting of the Building Strong Neighborhoods Committee on Monday, October 2, 2006 from 5:50 p.m. to 7:30 p.m. in W118-119.

Action: The Committee approved the recommended special meeting.

**2. Approve Facility Re-Use City Council Study Session. (Parks, Recreation and Neighborhood Services-PRNS)**

Documents Filed: Memorandum from Albert Balagos, Acting Director of PRNS dated September 7, 2006 recommending approval to schedule a City Council Study Session on Parks, Recreation and Neighborhood Services Facility Re-Use on December 8, 2006 from 1:30 p.m. to 4:00 p.m. in the Council Chambers.

Action: The Committee approved the recommended study session.

**3. Approve changes to the summer and fall 2006 City Council General Plan Hearings. (Planning, Building and Code Enforcement-PBCE)**

Documents Filed: Memorandum from Joseph Horwedel Acting Director of PBCE dated September 7, 2006 recommending approval not to hold the October 3, 2006 City Council General Plan meeting and include General Plan items to the November 14, 2006 evening Council Meeting and to hold an evening City Council Meeting on December 12, 2006 for both General Plan and Land Use items.

Action: The Committee approved the changes to the City Council General Plan Hearings.

**E. The Public Record**

Documents File: Memorandum from the City Clerk dated September 7, 2006 transmitting the Public Record for the week of August 30 - September 5, 2006.

Action: The Committee noted and filed the Public Record.

**F. Appointments to Boards, Commissions and Committees**

**1. Approve appointment of Troy Bentley Overton to fill a vacant position on the Appeals Hearing Board. (Chirco)**

Documents Filed: Memorandum from Councilmember Chirco dated September 6, 2006 recommending Troy Bentley Overton be appointed to the Appeals Hearing Board to fill an unexpired term ending December 31, 2007.

Action: The Committee approved the appointment of Troy Bently Overton to the Appeals Hearing Board.

**G. Rules Committee Reviews, Recommendations and Approvals**

- 1. Approve the addition of an Audit of Code Enforcement to the City Auditor's Workplan. (Cortese)**  
**(Deferred to September 27, 2006)**

**H. Review of Significant Public Records Act Requests**

There were none.

**I. Review of Council Policy Updates per Sunshine Reforms (PIR #12)**

There were none.

**J. Open Forum**

- William Garbett contended that the City Council violated the Brown Act on September 12, 2006 when it approved the Cooperation Agreement with the County relating to the Old Civic Center. He argued that there had been no vote of the people.

City Attorney Rick Doyle advised the Committee that the Council had followed proper protocol and had taken appropriate action. Deputy City Manager Deanna Santana noted that all relevant documentation had been circulated in a timely manner.

- Bill Chew read a letter he sent to City Manager Les White regarding his concern about the number of Christmas tree ornaments thrown away each year after "Christman in the Park". He suggested that they could be collected and sold for a minimal amount.

**K. Adjournment**

The meeting was adjourned at 2:20 p.m.

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Nora Campos, Vice Chair  
Rules/Agency Rules Committee